

Tiverton Street Advisory Committee

Minutes of Meeting

June 25, 2014

Chairman Michael Normandin called the Street Advisory Committee meeting to order at 7:03pm on June 25, 2014 at the Tiverton Community Center. Apologies were again extended to those who came to Town Hall on June 18th to find that the meeting had to be cancelled and reschedule due to advertising problems and Open Meeting Regulations.

1. ROLL CALL

Michael Normandin, Audrey Gloddy, Richard Hart, Ms. Rosemary Eva, and James O'Dell were present. Also present were ex-officio members Joan Chabot and Stephen Berlucchi.

2. COMMITTEE BUSINESS

Ms. Eva requested that the agenda order be moved out of sequence due to the number of residents in attendance. All members were in agreement.

c. OLD BULGARMARSH ROAD (THE ONE NEAR WESTPORT)

Mr. Normandin asked if any residents had any information regarding the ownership of Old Bulgarmarsh Rd. (below the 177 Flea Market and parallel to Route 177). Resident Paul Rioux of 1668 Bulgarmarsh Road had copies of plans when drainage was put in.

Mr. Berlucchi stated there is a question of ownership.

Residents of Old Bulgarmarsh Road stated that there are contradicting maps. Mr. Berlucchi stated that is very common because roads wander. Ms. Eva said it appears to be a Rod Way,

Proprietor's Highway.

Grant Manchester a resident of Old Bulgarmarsh asked if we were here to discuss whose is going to maintain the road. **Mr. O'Dell** replied that the committee needs to gather facts to make a recommendation to the Town Council. **Mr. Manchester** stated that the homeowners are concerned with what is gravel. **Mr. Berlucchi** stated there are drainage issues.

Ms. Eva stated that she had visited the site and the width of the roadway was more like a two lane highway and there are soil and swales piled at the end. She questioned why the roadway didn't go out to Route 177 at the western end as it had in the past.

William Smith a resident of Old Bulgarmarsh said they were concerned with all the water building up and the swale running on pipe line, and **Grant Manchester's** animals feces running down the roadway.

Mr. Rioux also stated that the pipe from Indian Hill drains on to his property and the drainage system can't handle it.

William Smith asked where the Code Enforcement Officer was when these houses were getting put in.

Other residents present were **Lynn Stewart** and **Gloria Smith**.

Mr. Berlucchi said if Old Bulgarmarsh is a Rod Way or Proprietor's Highway it belongs to the Town, it was given to the Town by the Kings.

Mr. O'Dell stated he had also driven down the road and noticed that it had been built up and widened over the years. He asked the residents what they would like to see happen to the road. **Mr. Rioux**

replied that he would like to see things stay the way they are but just narrow it down.

Mr. Normandin also asked the residents for their input. Mr. Manchester replied that he would like to see things stay the same and fix the drainage. Mr. Smith would like it back the way it was with draining into swamp. Mr. Smith, Mr. Rioux and Mr. Manchester all stated they want the Town to fix it properly.

Ms. Eva stated that it used to be possible to drive thru there and exit out onto the current Bulgarmarsh Road or Route 177; now you can't. She expressed concern as to where the property lines are located and why you can't exit onto Route 177.

Mr. Berlucchi stated there are drainage issues from the Flea Market, Indian Hill and Old Bulgarmarsh. He said that he could not do drainage but he would dig a trench.

Mr. Hart questioned if Mr. Stevenson had plans of building, he stated not at this time. Mr. Berlucchi was asked how often he graded the road. He stated that he currently grades the road twice per year.

Mr. O'Dell made a motion that all DPW services continue: trash pick-up, plowing, sanding, and grading twice per year. Ms. Eva amended the motion that trash pick-up will be at the beginning of the street, rte 177. Ms. Gloddy amended the recommendation to accept Old Bulgarmarsh Road as an unimproved non-conforming Town Road. Mr. Normandin seconded the amended motion. Mr. Normandin, Ms. Gloddy, Mr. O'Dell, Mr. Hart, and Ms. Eva all voted in favor of the motion.

c. WINTERBERRY WOODS – UPDATE/STATUS

Ms. Gloddy stated that she had received an email from resident Ms. Levesque advising her that the attorney was working on the Homeowners Association documents.

b. SAWDY POND AVENUE

Mr. Berlucchi said the Town plow trucks plow the road every year. Mr. Hart asked if the Town could get money from Fall River. Mr. Berlucchi stated he didn't want to ask.

Ms. Gloddy stated that the people from Sawdy Pond had previously submitted documents that the Town signed for the poles. Mr. Berlucchi stated that means nothing. Ms. Gloddy stated that there would have had to been an easement or right of way signed by the property owner, if it was private property. Mr. Berlucchi stated that is not true he signs for all the poles.

Ms. Gloddy made a motion to recommend to accept the Tiverton portion of Sawdy Pond as an unimproved nonconforming street and all DPW services continue as they have been snow plowing, sanding, grading twice per year, and trash pickup at the end of the road. Mr. O'Dell seconded motion.

Mr. Berlucchi said he is contesting that he objects because it is private.

Mr. O'Dell stated residents had brought evidence of poles being signed for by Town to the last street committee and there is no evidence of it being private.

Ms. Chabot in full disclosure stated that her cousin, a resident, was going to Fall River to dispute road boundaries. The road is in the wrong place and they are having a survey done.

Mr. O'Dell withdrew his motion. Ms. Gloddy withdrew her motion. No vote was taken.

Mr. O'Dell stated he would go to Bristol County Registry of Deeds and see if he could find anything regarding the road.

d. RIVERSCAPE LANE: FOR OWNERSHIP DETERMINATION

Mr. Berlucchi read excerpts from Planning Board meeting minutes from May 10, 1983 provided by Ms. Eva.

Ms. Eva stated the road is private since it was never formally accepted by the Town and the Town should not have been doing work on it.

Mr. O'Dell stated he was surprised the Town would be down there cutting trees. A discussion ensued.

Ms. Gloddy said the Planning Board minutes indicated the Town would probably take care of it. She recommended that the committee notify the residents and have them come in with any information they may have regarding ownership.

Ms. Gloddy made a motion to continue Riverscape Lane to June 16th meeting. Ms. Eva asked Mr. Berlucchi if he would send out the notification letters to the residents. Mr. Berlucchi agreed. Mr. O'Dell seconded the motion. Mr. Normandin, Mr. O'Dell, Mr. Hart, Ms. Eva and Ms. Gloddy voted in favor of the motion.

f. SIGNS TO DISTINGUISH ROAD STATUS

Mr. O'Dell stated he had reviewed Mr. Hart's information on signs and that it was interesting to see signs used elsewhere with clarification of street on signs. Mr. Hart stated that it stops the guess work, and he believed that we need to establish a plan for any street signs.

Mr. Berlucchi stated that we currently label a road private when it is voted on by the Town Council. Mr. Hart stated that we need to write out a plan, noting that there is nothing anywhere to distinguish streets as public or private. He also stated that there is nowhere in the Town Hall that indicates, if a road is public or private and stated that he would come up with ideas.

g. MISCELLANEOUS

Ms. Gloddy brought up Beech Tree Hill subdivision's Homeowner's Association. Mr. O'Dell asked Mr. Berlucchi why he had told Beech Tree Hill that we would gave them 90 days for the formation of the Homeowners Association (HOA). Mr. Berlucchi stated he thought we had.

Mr. Berlucchi stated that Mr. Spitz, president of the HOA did not want to be personally responsible. He stated that they needed to form a HOA with the Secretary of State's Office and once that is formed he would bring it to the Town Council. Ms. Gloddy said according to Mr. Berlucchi's emails to Mr. Spitz that he had told them they were all set.

4. APPROVAL OF MINUTES FROM MAY 21, 2014

Ms. Eva made a motion to continue minutes. Mr. Normandin seconded the motion. The motion passed unanimously with Mr. O'Dell, Mr. Hart, Mr. Normandin, Ms. Eva, and Ms. Gloddy voting in favor of the motion.

5. ADJOURNMENT

Ms. Gloddy made a motion to adjourn, Mr. O'Dell seconded the motion. The motion passed unanimously with Mr. O'Dell, Mr. Hart, Mr. Normandin, Ms. Eva, and Ms. Gloddy voting in favor of the

motion. The meeting adjourned at 9:30pm.

MINUTES APPROVED 01/14/2015